

July 14, 2011

VIA PERSONAL DELIVERY

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The Honorable Kamala D. Harris, Attorney General
1300 I Street, 17th Floor, P.O. Box 944255
Sacramento, CA 95814

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Attention: Dawn McFarland, Initiative Coordinator

Re: Request for Title and Summary for Proposed Referendum

Dear Ms. Harris:

Pursuant to Article II, §10(d) of the California Constitution, I hereby respectfully submit the attached proposed statewide referendum of Senate Bill 48 (Chapter 81, Statutes of 2011) to your office and request that you prepare a title and summary of the measure as provided by law. Included with this submission is the required proponent affidavit signed by the proponent of this measure pursuant to California Elections Code §9608. My address as a registered voter is attached to this letter, along with a check for two hundred dollars (\$200.00).

All inquiries or correspondence relative to this initiative should be directed to Capitol Resource Institute, 660 J St., Suite 250, Sacramento, CA 95814, (909) 996-9391, attention: Paulo Sibaja.

Please do not hesitate to call should you have any questions.

Very truly yours,



Paulo E. Sibaja, Proponent

Enclosures: 1. Proposed Referendum Statute
2. Affidavit

REFERENDUM AGAINST AN ACT PASSED BY THE CALIFORNIA LEGISLATURE

The law proposed by Chapter 81, Statutes of 2011 (Senate Bill 48), is submitted to the People of the State of California as a referendum in accordance with the provisions of Article II, §9 of the California Constitution.

PROPOSED LAW

CHAPTER 81

An act to amend Sections 51204.5, 51500, 51501, 60040, and 60044 of the Education Code, relating to instruction.

SECTION 1. Section 51204.5 of the Education Code is amended to read:

51204.5. Instruction in social sciences shall include the early history of California and a study of the role and contributions of both men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups, to the economic, political, and social development of California and the United States of America, with particular emphasis on portraying the role of these groups in contemporary society.

SEC. 2. Section 51500 of the Education Code is amended to read: 51500. A teacher shall not give instruction and a school district shall not sponsor any activity that promotes a discriminatory bias on the basis of race or ethnicity, gender, religion, disability, nationality, sexual orientation, or because of a characteristic listed in Section 220.

SEC. 3. Section 51501 of the Education Code is amended to read: 51501. The state board and any governing board shall not adopt any textbooks or other instructional materials for use in the public schools that contain any matter reflecting adversely upon persons on the basis of race or ethnicity, gender, religion, disability, nationality, sexual orientation, or because of a characteristic listed in Section 220.

SEC. 4. Section 60040 of the Education Code is amended to read: 60040. When adopting instructional materials for use in the schools, governing boards shall include only instructional materials which, in their determination, accurately portray the cultural and racial diversity of our society, including:

(a) The contributions of both men and women in all types of roles, including professional, vocational, and executive roles.

(b) The role and contributions of Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the total development of California and the United States.

(c) The role and contributions of the entrepreneur and labor in the total development of California and the United States.

SEC. 5. Section 60044 of the Education Code is amended to read:

60044. A governing board shall not adopt any instructional materials for use in the schools that, in its determination, contain:

(a) Any matter reflecting adversely upon persons on the basis of race or ethnicity, gender, religion, disability, nationality, sexual orientation, occupation, or because of a characteristic listed in Section 220.

(b) Any sectarian or denominational doctrine or propaganda contrary to law.

SEC. 6. It is the intent of the Legislature that alternative and charter schools take notice of the provisions of this act in light of Section 235 of the Education Code, which prohibits discrimination on the basis of disability, gender, nationality, race or ethnicity, religion, sexual orientation, or other specified characteristics in any aspect of the operation of alternative and charter schools.